

May 16, 2025

***VIA ECF***

The Honorable Paul G. Gardephe  
United States District Judge  
United States District Court  
Southern District of New York  
40 Foley Square  
New York, NY 10007

***Re: American Civil Liberties Union v. U.S. Department of Homeland Security, et al., No. 1:20-cv-10083-PGG***

Dear Judge Gardephe,

Following the last joint status update filed on March 14, 2025, ECF No. 57, in the above-referenced Freedom of Information Act (“FOIA”) case seeking records related to the defendant agencies’ purchase of cell-phone location data for immigration enforcement and other purposes, we write, jointly with counsel for Defendants, to provide this Court an update on the progress of this case.

Since the last joint status update letter, Defendants have confirmed that there are no pending productions from U.S. Customs and Border Protection and U.S. Secret Service. After reviewing Defendants’ productions and descriptions of withheld records, Plaintiff informed Defendants that only one fully withheld document, identified by Defendant U.S. Immigration and Customs Enforcement (“ICE”), remained in dispute. ICE produced a partially unredacted version of that document, and Plaintiff has now informed Defendants that it does not intend to challenge any of Defendants’ withholdings. There are therefore no remaining disputes over search, processing, or production of records, and no need for filing of motions for summary judgement.

The parties will attempt to reach an agreement on attorneys’ fees and costs. We request leave from the Court to file a further status update letter on June 27, 2025.

Respectfully submitted,

/s/ Lauren Yu

Lauren Yu  
Nathan Freed Wessler  
Ashley Gorski  
American Civil Liberties Union Foundation  
125 Broad Street, 18th Floor

New York, NY 10004  
(212) 549-2500  
lyu@aclu.org  
nwessler@aclu.org  
agorski@aclu.org

Robert Hodgson  
Christopher Dunn  
New York Civil Liberties Union Foundation  
125 Broad Street, 19th Floor  
New York, NY 10004  
(212) 607-3300  
RHodgson@nyclu.org  
*Counsel for Plaintiff*